

21 FEB 2006

Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		Attorney Docket: 27183U U.S. Application No. 11/368817 Not Yet Assigned
International Application No.: PCT/EP2004/051948	International Filing Date: 27 Aug. 2004 (27.08.2004)	Priority Date Claimed: 28 Aug. 2003 (28.08.2003) EP
Title of Invention: COMPOSITION COMPRISING A PULMONARY SURFACTANT AND A PDE2 INHIBITOR		
Applicants for DO/EO/US: WOLLIN, Stefan-Lutz		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. <input checked="" type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ol style="list-style-type: none"> <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) <input checked="" type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) 		

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<p>20. <input checked="" type="checkbox"/> Other information:</p> <p>TRANSMITTAL LETTER; INTERNATIONAL PUBLICATION NUMBER: WO 2005/021037 A1, WITH PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: 10 MARCH 2005 (10.03.2005), WHICH CONSISTS OF 25 PAGES: 1 PAGE FOR THE COVER SHEET, WITH ABSTRACT, 18 PAGES OF TEXTUAL SPECIFICATION, 5 PAGES OF 21 CLAIMS, 1 SHEET OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A, B, AND C TO BE EXAMINED; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/ISA/237 (WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101 (PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>				
The following fees are submitted:		CALCULATION PTO USE ONLY		
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a))..... \$ 300.00		\$ 300.00		
22. <input checked="" type="checkbox"/> Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 All other situations \$ 200.00		\$ 200.00		
23. <input checked="" type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB \$ 400.00 All other situations \$ 500.00		\$ 400.00		
Total of 21, 22 and 23		\$ 900.00		
— Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.				
Total Sheets	Extra Sheets	# of each additional 50	RATE	
27-100 =	0/50 =	0	X \$250	\$ 0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).			\$ 0.00	
CLAIMS	# FILED	# EXTRA	RATE	
TOTAL	18-20=	0	X \$50	\$ 0.00
INDEPENDENT	2-3=	0	X \$200	\$ 0.00
Multiple dependent claims (if applicable)		+ \$360	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =		\$ 900.00		
— Applicant claims small entity status. Fees above are reduced by $\frac{1}{2}$.				
		SUBTOTAL =	\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).			\$ 0.00	
TOTAL NATIONAL FEE =		\$ 900.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$ 0.00	
TOTAL FEES ENCLOSED =		\$ 900.00		
		Amount to be: refunded	\$	
		Amount to be: charged	\$	

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- a. A check in the amount of \$ 900.00 to cover the above fees is enclosed.
- b. Please charge my Deposit Account Number: 14-0112 in the amount of \$ _____ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c. The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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10/568817
MAIL STOP PCT 21 FEB 2006
Attorney Docket: 27183U
Date: February 21, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WOLLIN

Serial No.: Not Yet Assigned

Filed: February 21, 2006

International Application No.: PCT/EP2004/051948

International Filing Date: 27 August 2004 (27.08.2004)

Title: **COMPOSITION COMPRISING A PULMONARY SURFACTANT AND A PDE2 INHIBITOR**

TRANSMITTAL LETTER

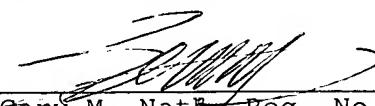
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/021037 A1, with PCT/ISA/210 (International Search Report); International Publication Date: 10 March 2005 (10.03.2005), which consists of 25 pages:
 - 1 page for the Cover Sheet, with Abstract,
 - 18 pages of Textual Specification,
 - 5 pages of 21 Claims,
 - 1 sheet of Drawings;
- 4) **Preliminary Amendment with Appendices A, B and C to be Examined;**
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/ISA/237 (Written Opinion of the International Searching Authority);
- 7) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 8) PCT/RO/101 (PCT Request);
- 9) Check No.: 1686 in the Amount of \$ 900.00 for Basic Filing Fee, which includes the Search and Examination Fees, as a Large Entity;
- 10) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,
NATH & ASSOCIATES PLLC


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